

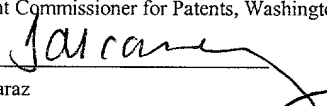
#3

PATENT
Docket No. 220002060725
Client Reference 1999-128-7

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Tamara Alcaraz

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Michael J. MAHAN et al.

Serial No.: 09/928,227

Filing Date: August 9, 2001

For: METHOD OF REDUCING BACTERIAL
PROLIFERATION

Examiner: To Be Assigned

Group Art Unit: 1645

PRELIMINARY AMENDMENT

Box Missing Parts
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to examination on the merits, Applicants respectfully request entry of this Preliminary Amendment for the above-captioned application.

AMENDMENT

In the Claims:

Please amend claims 11 and 39 as follows:

11. (Amended) The method of claim 1, wherein the agent alters Dam activity of a pathogenic bacteria selected from the group consisting of *Neisseria meningitidis*, *Pasteurella multocida*, and *Shigella spp.*

39. (Amended) The composition of claim 34, wherein the bacteria is a pathogenic bacteria selected from the group consisting of *Neisseria meningitidis*, *Pasteurella multocida*, and *Shigella spp.*

REMARKS

The above preliminary amendments to the claims are requested to better define the claimed invention. No new matter is introduced by these amendments, and these amendments are not made to avoid prior art.


Attached hereto is a marked-up version of the changes made to the claims by the current amendment. The attached page is captioned "Version with markings to show changes made".

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing docket no. 220002060725.

Respectfully submitted,

Dated: December 19, 2001

By:


Shantanu Basu
Registration No. 43,318

Morrison & Foerster LLP
755 Page Mill Road
Palo Alto, California 94304-1018
Telephone: (650) 813-5995
Facsimile: (650) 494-0792

VERSION WITH MARKINGS TO SHOW CHANGES MADE

In the Claims:

11. (Amended) The method of claim 1, wherein the agent alters Dam activity of a pathogenic bacteria selected from the group consisting of [*Streptococcus pneumoniae*,] *Neisseria meningitidis*, [*Haemophilus somnus*, *Actinobacillus pleuropneumoniae*,] *Pasteurella multocida* [, *Mannheimia haemolytica*, *NT Haemophilus influenzae*, *Helicobacter pylori*] and *Shigella spp.*

39. (Amended) The composition of claim 34, wherein the bacteria is a pathogenic bacteria selected from the group consisting of [*Streptococcus pneumoniae*,] *Neisseria meningitidis*, [*Haemophilus somnus*, *Actinobacillus pleuropneumoniae*,] *Pasteurella multocida* [, *Mannheimia haemolytica*, *NT Haemophilus influenzae*, *Helicobacter pylori*] and *Shigella spp.*